

Norris
10/705,569

REMARKS

The undersigned requests a personal interview with the Examiner in charge of this application to discuss the issues raised below.

Claims 1-4 were rejected as being anticipated by Abrums 5,799,792.

Claim 5 was rejected as being unpatentable over Abrums in view of Sponholtz 5,670,118.

In the present invention, the outer wall of the container is smooth between the upper and bottom lips which extend outwardly from the outer surface of the wall of the container as seen in Fig. 5. In Abrums, the wall of the container does not have this configuration. As seen in Figs. 2 and 3, the outer wall is stepped inwardly both at the top and bottom of the container. In the present invention the lips extend outwardly from the wall and the outer edges are rounded. In Abrums, each lid has a separate retaining channel for the top and bottom lips. In the present invention, each lid has a single retaining channel which fits both the top and bottom lips. Also, the configuration of the retaining channel along the outer edge of the lid in the present invention is different than the configuration employed in Abrums.

Sponholtz was cited for the use of color coding of the cuvettes. What the patentee does, in one embodiment, is to color code a bottom surface 32 of each cuvette to "identify, for example, different tests of different body fluids or the fluids of different individuals tested" (col. 5, lines 1-4). There is no suggestion of using color coding to match a lid to a container, as in the present invention. It should also be noted that in the present invention, there are two lips on each container, and only one is color coded. This is moot in the reference which has only one handle.

In view of the foregoing, claim 6 has been amended extensively to include the distinguishing features of the present invention as described above, and all other claims have been canceled.

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It is believed that for the reasons given above, claim 6 in its present form clearly departs from the above references and should be allowed.

The undersigned or Mr. Kroll should be called in the event further changes are to be made to obtain allowance of the application.

A favorable action is solicited.

Respectfully submitted,



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CERTIFICATE OF FAXING

I hereby certify that this correspondence is being facsimile transmitted to the U. S. Patent and Trademark Office, telephone number 571-273-8300 on Jan. 1, 2007.



Leonard Belkin